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കേരള സർക്കാർ
GOVERNMENT OF KERALA

കേരള ഗസറ്റ്
KERALA GAZETTE

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Part III

Administration of Justice - Judiciary

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HIGH COURT OF KERALA

NOTIFICATION

No. DI-1/100071/2024. *13th February 2026.*

In exercise of the powers conferred by Article 225 of the Constitution of India, Section 122 of the Code of Civil Procedure, 1908 (Central Act 5 of 1908) and of all other powers hereunto enabling it in this behalf, the High Court of Kerala hereby publishes for general information the draft of the amendments proposed to the Rules of the High Court of Kerala, 1971.

Notice is hereby given that any objection or suggestion with respect to the draft rules received from any person within thirty days from the date of publication of this notification in the official gazette will be considered by the High Court. Objections or suggestions, if any, shall be addressed to the Registrar General, High Court of Kerala, Kochi-682 031.

DRAFT RULES

1. *Short title and Commencement:—*

(1) These rules may be called the Rules of the High Court of Kerala (Amendment), 2026.

(2) They shall come into force at once.

2. *Amendment of the Rules:—*

(1) In rule 5,

i. after sub-rule 9, the following sub rule shall be inserted, namely:—

"(9A) "Proceedings" include writs, writ appeals, memoranda of appeals, original petitions, revisions, references, applications, arbitration matters, petitions, interlocutory applications, documents or any applications provided under law or any other cases presented or filed under any law in court by any party or such party's/ies' Advocate or Advocate commissioner or other officer of the court."

ii. after sub-rule (10), the following sub-rules shall be inserted, namely:—

"(10A) Registrar (Case and Court Management) shall be a District Judge with at least 2 years of experience as a District Judge.

(10B) "Registrar's Court" means the Court manned by the Registrar (Case and Court Management) and does not include 'Court' as defined in Rule 5 (7) of the Rules."

iii. The existing sub rule (10A) to Rule 5 shall be renumbered as (10C).

(2) In rule 15

i. The existing rule 15 shall be substituted with the following:

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"15. *Powers and duties of the Registrar (Case and Court Management)—*

In addition to the powers and duties conferred by the Chief Justice by any special or general order, or by other Rules, the Registrar (Case and Court Management) shall also have duties and powers as mentioned in these Rules.

Provided that the Registrar (Case and Court Management) may refer any proceedings pending before him for the decision of the Court along with a report containing the reasons as to why the proceedings are being referred.

(a) The Registrar (Case and Court Management) shall have the following duties and powers;

(1) To decide all questions necessary for fully discharging such duties and powers.

(2) To decide on the objection to the defects pointed out as per Rule 16 (2).

(3) To determine an application for condonation of delay in re-presenting a proceeding beyond the period granted under Rule 16 (3), up to a maximum of 60 days. To issue notice in the application to condone re- presentation delay, and after due completion of service of notice, condone the delay in re- presentation, if the same is not opposed and if opposed, to post the proceeding before the court.

(4) To order notice through any mode as prescribed in these Rules.

(5) To order notice on all delay condonation applications and restoration applications.

(6) To issue notice through electronic means as prescribed, to the institutions which are provided with that facility.

(7) To fix the date of return of notice subject to the directions of the Court, if any.

(8) To determine whether the notice has been served and if not, to issue fresh notice.

(9) To extend the period for payment of process fee, at the first instance for period of 30 days and if the fees is not paid within the said period, to extend the period by 15 days, and if not paid within the extended period, to post the proceedings before the Court.

(10) To post all proceedings before the Court after service of notice is complete, where notice has been ordered, except matters where there is a specific order of the Court to post the same on an earlier or specific date.

(11) To post a proceeding in court before the completion of service of notice, on filing of an application requesting judicial orders.

(12) To order notice to the respondent/s and the Government Pleader on an application for permission to sue as indigent.

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(13) To dispense with notice to party respondents in Motor Accidents Claims Appeal, wherein the insurance company has appeared and admitted their liability.

(14) To allow applications filed for impleading proforma party/ parties, provided there is no objection from the parties already in the party array.

(15) To allow application for impleading legal representatives of deceased party, provided it is filed within the time prescribed by law and is not opposed, and if opposed, record reasons and post the application before court.

(16) To order notice on application filed under Order XXII Rule 9(2) of the Code and to allow the same after the notice is served, provided the same is not opposed, and if opposed, record reasons and post the application before court.

(17) To order notice on the application filed under Section 5 of the Limitation Act 1963 to condone the delay in filing an application under Order XXII Rule 9 of the Code and to allow the same after the notice is served, provided the same is not opposed. And if opposed, record reasons and post the application before court.

(18) To note abatement of any proceeding after the expiry of the period prescribed by law and post it before the Court.

(19) To pass orders on all Interlocutory Applications which are unopposed and are of a formal nature.

(20) To permit or require any party to offer evidence by affidavit with respect to any application or matter which he is empowered to act under these Rules.

(21) To direct from time to time to deposit funds for the conduct of proceedings on behalf of minor respondents or for whom guardian ad-litem has been appointed.

(22) To fix timeline for filing counter affidavit/ objections/ statements/ documents etc., in any proceedings where the court has not fixed a timeline and to extend the timeline so fixed up to a maximum of 120 days. While fixing the timeline, the time fixed by these Rules, any Statute or any case management software or modules developed under the directions of the High Court or the Supreme Court, shall also be taken into consideration.

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(23) To grant time up to 30 days for filing of rejoinder/ additional affidavits/ additional documents etc., after the filing of counter affidavit /objections / statements / documents etc., and to extend the time so fixed, up to a maximum of 60 days.

(24) To accept counter affidavit/ objections/ statements/ documents etc. after the period prescribed under sub rule 22 and before the day fixed for hearing, and refix the timeline fixed for filing rejoinder/ additional affidavits/ additional documents etc. subject to sub rule 23.

(25) To post the proceedings before the Court to a date fixed in accordance with Rule 91. Rule 92 and Rule 94 of these Rules and the timeline fixed, if any.

(26) To fix a fresh date for hearing after consulting the contesting parties, if any of the parties make a request for adjournment atleast three clear working days prior to the date of hearing and if the Registrar (Case and Court Management) considers it expedient to do so.

(27) To pass orders on applications filed under Rule 66 of these Rules.

(28) To pass orders on applications filed under Rule 93 of these Rules.

(29) To consider requests/applications/memo for consolidation of proceedings, if unopposed.

(30) To allow the application for amendment of cause title of a proceeding or other clerical or typographical errors apparent from the face of the records and, in appropriate cases, to place the matter before the Court with a reasoned report.

(31) To return the original documents produced in pending cases to the party who produced the same, if not objected to by the other parties, subject to the party substituting the same with the certified copy/registration copy. The party shall also file an affidavit that he shall produce the original document so returned, if so ordered by the court.

(32) To pass orders on applications for exemption from paying court fees or extension of time for paying court fees, if provided under these Rules or the Kerala Court Fees and Suits Valuation Act, 1959 or for furnishing undertaking, bank guarantee or security, subject to a maximum period of 60 days. The Registrar (Case and Court Management) shall, if the court fees, undertaking, bank guarantee or security is not paid/furnished within the time so fixed or extended, record reasons and place the matter before Court.

(33) To adjudicate applications for refund of court fees under these Rules or under the Kerala Court Fees and Suits Valuation Act, 1959 or under any notification if issued thereunder and to order refund of court fee paid by mistake or inadvertence.

(34) To pass orders on all applications for impleading/ substitution of legal heirs of accused/complainant/victim in criminal proceedings wherein such applications are filed within time and are legally permissible and not opposed. However, in appropriate cases, the Registrar (Case and Court Management) may place the matter before the Court with a report.

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(35) To refer the parties to mediation on mutual agreement.

(36) To pass appropriate orders for renewal of bank guarantees, fixed deposit receipts and other deposits made under the orders of Court.

(37) To list before the Registrar (Case and Court Management), all bail applications, arbitration requests, transfer petitions, contempt of court cases, restoration petitions, review petitions, and such other category of cases as may be decided by the High Court from time to time, which are pending for more than 6 months or such other period as may be decided by the High Court, and to post those cases for hearing before the bench concerned. The Registrar (Case and Court Management) shall list and post for hearing before the bench concerned, all other categories of cases, in accordance with the timeline fixed by the High Court for the respective categories of cases or based on the exigency of the matter.

(38) To implement any scheme for case and court management, intelligent listing of cases using Artificial Intelligence (AI) tool/s approved by the State Case Management System Committee (SCMSC) and the Full Court."

ii. after rule 15, the following rules shall be inserted, namely:—

"15A. Any person aggrieved by any proceeding made by the Registrar (Case and Court Management) under these Rules, may request to post the matter before the court, whereupon the matter shall be posted before the court together with a report.

15B. *Conversion of a proceeding of one kind into another.*

The Registrar (Case and Court Management) shall have the power to consider an application for conversion of a proceeding of one kind into another, provided the application is filed prior to the proceedings being first posted before the Court and the same is not barred by any Act or Rules.

15C. *Application for Permission to appear in-person:—*

Notwithstanding anything contained in any other Rule, practice, directions or notices, a party-in-person, other than an Advocate appearing as party-in-person, shall not be permitted to participate in any proceedings, except as provided by this Rule.

(1) Whenever a party wants to file any matter/proceedings or wishes to defend his matter/proceedings and to appear and argue the case in person, either at the commencement of the proceedings or at any subsequent stage, he/she shall file an application in Form 39 seeking permission to appear in-person, along with the Petition/ Application/Counter/Appeal memorandum etc., which he intends to file.

(2) After scrutiny of such application for permission and the petition/counter or such other documents, the applicant shall be required to appear before the Registrar (Case and Court Management) on the specified date and time. However, the Registrar (Case and Court Management) may, in appropriate cases. permit the applicant to appear on the date of filing of the application itself.

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(3) On the appearance of the Party-in-Person, the Registrar (Case and Court Management) shall, after interacting with the party-in-person, assess the following

(a) Applicant's capability to assist the court effectively

(b) his ability to comprehend facts and to apply law to protect his own rights and interests in the litigation

(c) Applicant's ability to adhere to the decorum and etiquette of the Court while appearing in the case.

(4) On such assessment, if the Registrar (Case and Court Management) finds that the party in person is incapable of assisting the court, he may inform the party- in-person about the option of availing the service of a lawyer under the High Court Legal Services Committee. If the party does not want such assistance, make a report to the Court. If the party-in person opts for such service, but is found ineligible by the authority concerned, a report to the effect shall be submitted to the Registrar (Case and Court Management) who shall thereupon require the party-in-person to engage a counsel of his choice and if the party refuses, make a report to the Court.

(5) The Registrar (Case and Court Management) shall also scrutinize the matter/proceedings filed by the party-in-person to ensure that the party-in-person has not made any objectionable averments/allegations and if any such objectionable material is found, intimate the party-in-person about the same.

(6) If the party-in-person fails to appoint a counsel of his choice, the Registrar (Case and Court Management) shall submit a report to the Court as to why the applicant is not competent to appear in-person. The Court may, after considering the report and such other material as it deems fit and proper, permit the party-in- person to appear/file/defend and argue the case in person or may decline permission to the party-in-person and may appoint an Advocate as amicus curiae or one from the panel of advocates of High Court Legal Services Committee, for better assistance of the Court and for proper adjudication of the case.

(7) If the Registrar (Case and Court Management) is of the opinion that the party-in-person is competent to assist the Court, he shall guide the party-in-person about the language, demeanor, and decorum to be maintained in the court and shall require the party-in-person to give an undertaking that he/she shall maintain the decorum of the Court and shall not use any objectionable language or behaviour during the course of hearing in the Court or in the Court premises or in the further pleadings."

(3). The existing rule 16 shall be substituted with the following:

"Rule 16 Powers and duties of Registrar (Judicial).—

In addition to the powers and duties conferred by the Chief Justice by any special or general order or by other Rules, the Registrar (Judicial) shall have the following duties and powers and shall also hear and determine the applications filed in respect of the same:

Provided that the Registrar (Judicial) may, in his discretion, refer any proceeding before him for the decision of the Court along with a report of proceedings till date prepared by him.

The Registrar (Judicial) shall have the power;

(1) To receive all proceedings.

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(2) To return any proceeding which is insufficiently stamped undervalued, or whose presentation is defective by reason of failure to comply with the prescribed procedure, or which requires any amendment to conform to the procedure or practice of the court, for being re- presented within a period not exceeding 15 days, after supplying the deficiency, curing the defect or making the amendment, or to require that the deficiency be supplied, the defect cured or the amendment made within a period not exceeding 15 days of the presentation.

(3) To condone the delay in re-presenting any proceeding after the 15 days period granted in clause (2), up to a further period of 15 days.

(4) To call for the decree or report from the trial court concerned for the purpose of ascertaining the valuation of the suit and the court fee paid.

(5) To call for records from the trial court concerning a pending proceeding.

(6) To stop, at his discretion, the issue of all or any papers to any Advocate or Party who has failed to pay fees or charges due to the Court.

(7) To call for a further deposit when the deposit already made in a case is not sufficient to defray the cost of preparing the records.

(8) To give directions as to the preparation of records connected appeals.

(9) To order repayment of the unexpended balance of charges deposited for the preparation of the record in any proceeding.

(10) To fix a time limit in the notice for receiving refund cheques by the Advocate/Party and to issue notice to the Advocate/Party concerned.

(11) To order the expeditious grant of certified copies.

(12) To permit the dispensation of production of certified copy of the judgment/order of the lower court on the ground that such a certified copy has already been filed in the Court in another case arising from the same judgment or order, unless specifically precluded by any law.

(13) To permit the search of the records of the Court when permissible."

(4). After Rule 16, the following new Rule shall be inserted.

"16A. The Chief Justice may designate a Single Judge or a bench of two Judges to exercise their jurisdiction to hear matters on the orders/ recommendations made by the Registrar (Case and Court Management) and Registrar (Judicial) exercising jurisdiction under Rule 15, Rule 15A, 15B and 15C and Rule 16 of these Rules."

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(5). Under the heading 'Forms' after form 38, the following form shall be inserted.

FORM 39

ഫോം 39

[Rule 15C (1)]

[ചട്ടം 15 സി (1)]

Before the Hon'ble High Court of Kerala

ബഹുമാനപ്പെട്ട കേരള ഹൈക്കോടതി മുമ്പാകെ

Application No..... of 20.....

20.....-ലെ അപേക്ഷ നമ്പർ.....

(1) Full Name of the Party-in-Person:
വ്യവഹാര കക്ഷിയുടെ മുഴുവൻ പേര്:

(2) Name of Parent /Spouse/Guardian:
മാതാപിതാക്കൾ/ഭാര്യ/ഭർത്താവ്/രക്ഷാകർത്താവിന്റെ പേര്:

(3) Permanent address with pin code:
പിൻകോഡ് സഹിതമുള്ള സ്ഥിരം വിലാസം:

(4) Present address with pin code:
പിൻകോഡ് സഹിതമുള്ള നിലവിലെ വിലാസം:

(5) Are you an Indian citizen: (Yes/No)
നിങ്ങൾ ഒരു ഇന്ത്യൻ പൗരനാണോ? (അതെ/അല്ല)

(6) If not an Indian Citizen, your country of origin (Proof to be attached):
ഇന്ത്യൻ പൗരനല്ലെങ്കിൽ, നിങ്ങളുടെ ജന്മദേശം (തെളിവ് കൂടെ ചേർക്കേണ്ടതാണ്)

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(7) Age:
പ്രായം:

(8) Occupation:
തൊഴിൽ:

(9) Educational Qualification:
വിദ്യാഭ്യാസ യോഗ്യത :

(10) Proof of identity (to be attached):
തിരിച്ചറിയൽ രേഖ (രേഖ കൂടെ ചേർക്കേണ്ടതാണ്)

(11) Is this application submitted, (Tick mark the relevant part)
ഈ അപേക്ഷ സമർപ്പിക്കുന്നത് (പ്രസക്തമായ ഭാഗം ടിക്ക് മാർക്ക് ചെയ്യുക):

(a) for filing a new case
ഒരു പുതിയ കേസ് ഫയൽ ചെയ്യുന്നതിനു വേണ്ടി

or അല്ലെങ്കിൽ

(b) for filing a proceeding or counter in an existing or disposed of case:
നിലവിലുള്ളതോ തീർപ്പാക്കിയതോ ആയ കേസിൽ ഒരു നടപടിക്രമമോ ആക്ഷേപമോ സമർപ്പിക്കുന്നതിനുവേണ്ടി

(12) The case number and present stage of the existing or disposed of proceeding:
നിലവിലുള്ളതോ തീർപ്പാക്കിയതോ ആയ നടപടിക്രമത്തിന്റെ കേസ് നമ്പരും നിലവിലെ അവസ്ഥയും

(13) The status of the applicant in the main proceeding:
പ്രധാന നടപടിയിലെ അപേക്ഷകന്റെ നില

(14) Has the applicant appeared as a party-in-person in any other proceedings: (Yes/No)
മറ്റേതെങ്കിലും നടപടികളിൽ അപേക്ഷകൻ നേരിട്ട് ഹാജരായിട്ടുണ്ടോ? (അതെ/ഇല്ല)

(15) If the answer is Yes, the details of the proceedings:—
ഉത്തരം അതെ എന്നാണെങ്കിൽ, നടപടികൾ സംബന്ധിച്ച വിശദാംശങ്ങൾ:

(16) The details of the earlier applications filed under Rule 15C (1) and the result thereof:
ചട്ടം 15സി (1) പ്രകാരം സമർപ്പിച്ച മുൻ അപേക്ഷകളുടെ വിശദാംശങ്ങളും അതിന്റെ ഫലവും:

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(17) Are you conversant with the filing procedure, Rules and practices of the High Court of Kerala: (Yes/No)

കേരള ഹൈക്കോടതിയുടെ ഫയലിംഗ് നടപടിക്രമങ്ങൾ, ചട്ടങ്ങൾ, സമ്പ്രദായങ്ങൾ എന്നിവയുമായി നിങ്ങൾ പരിചിതരാണോ? (അതെ/അല്ല)

I.....do hereby affirm that the contents of this application are true and correct to the best of my knowledge and understanding. The entire pleadings and the documents which I propose to file in person have been submitted along with this application. I undertake that, if the Court appoints an Advocate from the panel advocates of the Kerala High Court Legal Services Committee for better assistance of the Court and for proper adjudication of the case, I will accept such an appointment unconditionally.

എന്റെ അറിവിലും ധാരണയിലും ഈ അപേക്ഷയിലെ ഉള്ളടക്കങ്ങൾ സത്യവും ശരിയുമാണെന്ന്.....എന്ന ഞാൻ ഇതിനാൽ ഉറപ്പുനൽകുന്നു. ഞാൻ നേരിട്ട് ഫയൽ ചെയ്യാൻ ഉദ്ദേശിക്കുന്ന മുഴുവൻ വാദങ്ങളും രേഖകളും ഈ അപേക്ഷയ്ക്കൊപ്പം സമർപ്പിച്ചിട്ടുണ്ട്. കോടതിയെ മെച്ചപ്പെട്ട രീതിയിൽ സഹായിക്കുന്നതിനും കേസിന്റെ ശരിയായ വിധിനിർണ്ണയത്തിനുമായി കേരള ഹൈക്കോടതി ലീഗൽ സർവീസസ് കമ്മിറ്റിയുടെ അഭിഭാഷക പാനലിൽ നിന്ന് കോടതി ഒരു അഭിഭാഷകനെ നിയമിച്ചാൽ, അത്തരം നിയമനം നിരുപാധികമായി സ്വീകരിക്കുമെന്നും ഞാൻ അറിയിച്ചുകൊള്ളുന്നു.

Dated this the.....day of.....20.....

20.....മാസം .....ാം തീയതി

Full Name and Signature

മുഴുവൻ പേരും ഒപ്പും

By order,

GOPAKUMAR, G.,

Registrar General.

Ernakulam-682 031.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

To ensure better management of cases pending in the High Court, it has been proposed to create the post of Registrar (Court and Case Management). Hence the power and duties of such Registrar needs to be prescribed. Further, rules with respect to the procedure to be adopted in the case of litigants appearing as party in person have been found necessary. The amendments are made with the above objective.

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Date:2026.02.24 03:13:47 +05:30